

## IN THE CLAIMS

1. (Currently Amended) A communication method for limiting transmission rate of transmitting data being transmitted from a server to a requesting computer, said method comprising steps of:

receiving, at a server from a requesting computer, a request for a specified data item ~~at the server~~, the specified data item to be delivered in its entirety prior to being accessed by the requesting computer;

receiving, at the server from the requesting computer, in conjunction with receiving the request for the specified data item, a speed indication signal ~~at the server from the requesting computer~~, wherein the speed indication signal comprises that comprises an indicated speed of transmission specifying a maximum transmission rate to be used in transmitting of the specified data item from the server to the requesting computer; and

transmitting the specified data item from the server to the requesting computer, the transmitting comprising limiting, by the server, an average rate of transmission while sending of at least a portion of the specified data item across a data link from the server to the requesting computer to be not greater than the ~~indicated speed contained~~ maximum transmission rate represented within the speed indication signal received from the requesting computer, wherein the ~~indicated speed~~ maximum transmission rate is less than the data rate of the data link and less than the data rate capacity of the requesting computer.

2. (Currently Amended) A communication method according to claim 1 in which the limiting transmitting step comprises substeps of:

determining, at the server in response to receiving the speed indication signal, a block size based at least on the indicated speed of transmission ~~average transmission rate~~;

determining, at the server in response to receiving the speed indication signal, a period based at least on the indicated speed of transmission ~~average transmission rate~~, wherein the period is longer than the period required to transmit the block size at the

data rate of the data link; and

transmitting, from the server in response to receiving the speed indication signal, a plurality of blocks of data, each of the blocks having the block size and being transmitted at intervals substantially equal to the period.

3. (Previously Presented) A communication method according to claim 1, further comprising steps of:

accessing a remote computer indicated in an address included in the request, wherein the remote computer is not one of the server and the requesting computer; and receiving, at the server, the specified data item from the remote computer.

4. (Previously Presented) A communication method according to claim 1 further comprising steps of reading the specified data item from a memory associated with the server.

5. (Cancelled)

6. (Currently Amended) A communication system for transmitting data from a server to a requesting computer, the communication system comprising:

a means for receiving, at a server from a requesting computer, a request for a specified data item ~~at the server~~, the specified data item to be delivered in its entirety prior to being accessed by the requesting computer;

a means for receiving from the requesting computer, in conjunction with receiving the request for the specified data item, a speed indication signal ~~at the server from the requesting computer~~, wherein the speed indication signal comprises that comprises an indicated speed of transmission specifying a maximum transmission rate to be used in transmitting of the specified data item from the server to the requesting computer; and

a means for limiting transmitting the specified data item from the server to the requesting computer, wherein the means for transmitting limits, at the server, an average rate while sending of transmission of at least a portion of the specified data

item across a data link from the server to the requesting computer to be not greater than the ~~indicated speed contained~~ maximum transmission rate represented within the speed indication signal received from the requesting computer, wherein the indicated ~~speed~~ maximum transmission rate is less than the data rate of the data link and less than the data rate capacity of the requesting computer.

7. (Currently Amended) A communication system according to claim 6 in which the ~~limiting~~ transmitting means comprises:

a means for determining, at the server in response to receiving the speed indication signal, a block size based at least on the indicated speed of transmission~~average transmission rate~~;

a means for determining, at the server in response to receiving the speed indication signal, a period based at least on the indicated speed of transmission~~average transmission rate~~, wherein the period is longer than the period required to transmit the block size at the data rate of the data link;

a means for transmitting, from the server in response to receiving the speed indication signal, a plurality of blocks of data, each of the blocks having the block size and being transmitted at intervals substantially equal to the period.

8. (Previously Presented) A communication system according to claim 6, further comprising:

a means for accessing a remote computer indicated in an address included in the request, wherein the remote computer is not one of the server and the requesting computer; and

a means for receiving, at the server, the first specified data item from the remote computer.

9. (Previously Presented) A communication system according to claim 6 further comprising means for reading the specified data item from a memory associated with the server computer.

10. (Cancelled)

11. (Currently Amended) A computer readable medium containing programming instructions for data communication comprising programming instructions for:

receiving, at a server from a requesting computer, a request for a specified data item at the server, the specified data item to be delivered in its entirety prior to being accessed by the requesting computer;

receiving, at the server from the requesting computer, in conjunction with receiving the request for the specified data item, a speed indication signal at the server from the requesting computer, wherein the speed indication signal comprises that comprises an indicated speed of transmission specifying a maximum transmission rate to be used in transmitting of the specified data item from the server to the requesting computer; and

transmitting the specified data item from the server to the requesting computer, the transmitting comprising limiting, by the server, an average rate of transmission while sending of at least a portion of the specified data item across a data link from the server to the requesting computer to be not greater than the indicated speed contained maximum transmission rate represented within the speed indication signal received from the requesting computer, wherein the indicated speed maximum transmission rate is less than the data rate of the data link and less than the data rate capacity of the requesting computer.

12. (Currently Amended) The computer readable medium according to claim 11 wherein the programming instruction for ~~limiting comprises~~ transmitting comprise programming instructions for:

determining, at the server in response to receiving the speed indication signal, a block size based at least on the indicated speed of transmission~~average transmission rate;~~

determining, at the server in response to receiving the speed indication signal, a period based at least on the indicated speed of transmission~~average transmission rate,~~ wherein the period is longer than the period required to transmit the block size at the

data rate of the data link; and

transmitting, from the server in response to receiving the speed indication signal, a plurality of blocks of data, each of the blocks having the block size and being transmitted at intervals substantially equal to the period.

13. (Previously Presented) A computer readable medium according to claim 11, further comprising programming instructions for:

accessing a remote computer indicated in an address included in the request, wherein the remote computer is not one of the server and the requesting computer; and receiving, at the server, the first specified data item from the remote computer.

14. (Previously Presented) A computer readable medium according to claim 11, further comprising programming instructions for reading the specified data item from a memory associated with the server computer.

15. (Cancelled)

16. (Previously Presented) The method according to claim 1, wherein the indicated speed is not related to a speed that is associated with the specified data item.

17. (Previously Presented) The communication system of claim 6, wherein the indicated speed is not related to a speed that is associated with the specified data item.

18. (Previously Presented) The computer readable medium according to claim 11, wherein the indicated speed is not related to a speed that is associated with the specified data item.

19. (Currently Amended) The method according to claim 1, further comprising:

receiving at the server, from the requesting computer, a new speed indication signal containing a new indicated speed, the new speed indication signal being received subsequently to the receiving the request and during the transmitting the

~~specified data item~~ subsequently to limiting the average rate of transmission; and

~~adjusting~~limiting, in response to receiving the new speed indication signal, the average rate of transmission while continuing the transmitting the specified data item of ~~at least a portion of the specified data item across a data link to the requesting computer~~ to be not greater than the new indicated speed contained within the new speed indication signal, wherein the new indicated speed is less than the data rate of the data link and less than the data rate capacity of the requesting computer.

20. (New) The method according to claim 1, wherein the maximum transmission rate comprises a specification of a maximum data transmission rate.

21. (New) The method according to claim 3, wherein the server comprises a dial-up server.